

Application No. 10/686,014
Paper Dated: September 15, 2006
In Reply to USPTO Correspondence of June 16, 2006
Attorney Docket No. 964-031708

AMENDMENTS TO THE DRAWING

Applicant submits herewith a copy of the drawing figure showing proposed drawing corrections in red ink. Approval of the proposed drawing corrections is respectfully requested.

Attachment: Replacement Sheet
Annotated Sheet Showing Changes

REMARKS

This Amendment amends claims 1-3, 5, 6, and 10-16. Support for the claim amendments is found, for example, in the drawing figure and in the specification at paragraph [0023]. Claims 1-20 remain in this application.

Objection to the Drawings

The drawings were objected to for not showing the cylinder tubes, lifting cylinders, and guide rollers of claim 5.

In response, Applicants enclose herewith a copy of the drawing showing proposed drawing corrections in red ink to add the lifting cylinders, lifting tubes, and guide rollers as described in the specification at, for example, paragraph [0023].

Approval of the proposed drawing changes and reconsideration of the objection to the drawing is respectfully requested.

Objection to the Specification

The specification (paragraph 0023) was objected to for disclosing two guide rollers (8) fastened to the pulley carrier (7) while four guide rollers were shown in the drawing. As set forth above, Applicants have amended the specification to state that the pulley carrier can have “two or more” guide rollers. Therefore, reconsideration of the objection to the specification is respectfully requested.

Rejections Under 35 U.S.C. § 112, second paragraph

Claims 1 and 5 stand rejected for indefiniteness for improper antecedent basis in claim 1 and for the use of the limitation “both sides” in claim 5. As set forth above, Applicants have amended claim 1 to correct the antecedent basis error and have also amended claim 5 to change the term “both sides” to “opposite sides of the lifting mast”.

In view of these amendments, reconsideration of the objections to claims 1 and 5 is respectfully requested.

Rejections Under 35 U.S.C. § 112, first paragraph

Claims 5 and 10-16 stand rejected for non-enablement for not disclosing the “cylinder tubes” or how the guide rollers run over the surface of the lifting cylinders.

As set forth above, Applicants have included a proposed drawing correction to the figure to add the lifting cylinders described in paragraph [0023] in accordance with the

description of the specification. Therefore, reconsideration of the rejections of claims 5 and 10-16 is respectfully requested.

Rejections of Claims 1-4

Claim 1 stands rejected under 35 U.S.C. § 102(b) for anticipation by German reference DE 4 335 275 (hereinafter "DE '276"). Claims 1-4 stand rejected under 35 U.S.C. § 103(a) for obviousness over the teachings of DE '275 in view of FR 1 429 685 (hereinafter "FR '685").

In view of the above amendments and the following remarks, reconsideration of these rejections is respectfully requested.

Claim 1, as amended, is directed to a lifting frame comprising a stationary vertical mast, at least one telescoping lifting mast, and a lifting carriage that can be moved up and down on the lifting mast. An accessory hydraulic system is fastened to the lifting carriage. At least one hydraulic line discharges at the lifting carriage. The hydraulic line is installed on the lifting frame and forms a loop that is open toward the top. The lifting frame further includes a pulley carrier having at least one tensioning roller. The pulley carrier is movable up and down on the lifting frame. At least one hydraulic line is guided in the vicinity of the loop over the tensioning roller that dips from above into the loop, such that a bias force is exerted on the hydraulic line. As shown in the figure, for dual hydraulic lines 5, each separate hydraulic line 5 is guided over only one of the tensioning rollers.

DE '275, as best understood, discloses a hose guide for an industrial truck having hoses (6) that are directed through vertical guide rails (8, 9) fastened to opposite sides of an outer frame (1). DE '275 does not teach or suggest the pulley carrier structure of amended claim 1 having at least one tensioning roller with a hydraulic line guided in the vicinity of the hydraulic line loop over the tensioning roller that dips from above into the loop. Nor does DE '275 teach or suggest applying a biasing force to the hydraulic line by the pulley carrier. Therefore, claim 1, as amended, is not anticipated by DE '275.

Claim 1 also stands rejected for obviousness over the teachings of DE '275 in view of FR '685. DE '275 has been discussed above. FR '685, as best understood, discloses a lifting frame having two pulleys (35, 37) oriented one above another and with hydraulic lines (30) looping around both rollers (35, 37). One of the rollers 37 dips from above in a loop formed by a hydraulic line that is open toward the top. That roller 37 is connected to a

tensioning cable 41 that generates a biasing force pre-stressing the hydraulic line downwardly and at the same time against a guide 33. FR '685 does not disclose a pulley carrier.

Neither DE '275 nor FR '685, either alone or in combination, teaches or suggests the structure in amended claim 1 of the pulley carrier having at least one tensioning roller with a hydraulic line guided in the vicinity of a loop over the tensioning roller that dips from above into the loop. Therefore, claim 1, as amended is not believed obvious in view of the DE '275 and FR '685 combination. Reconsideration of the rejections of claim 1 under both 35 U.S.C. § 102(b) and § 103(a) is respectfully requested.

Claims 2-4 depend from, and add further limitations to, claim 1. Since these claims depend from a claim believed to be in condition for allowance, these claims are also believed to be in condition for allowance.

Rejections of Claims 5-7 and 10-20

Claims 5, 6, 10-16, and 20 stand rejected under 35 U.S.C. § 103(a) for obviousness over the teachings of DE '275 and FR '685 in view of U.S. Patent No. 5,992,571 to Lee and U.S. Patent No. 6,505,710 to Kato. Claims 7 and 17-20 stand rejected under 35 U.S.C. § 103(a) for obviousness over the teachings of DE '275, FR '685, Lee, and Kato in further view of U.S. Patent No. 2,791,293 to Schenkelberger. In view of the above amendments and following remarks, reconsideration of these rejections is respectfully requested.

DE '275 and FR '685 have been discussed above.

Lee is directed to a mast assembly for forklift trucks having fluid hoses wrapped around several hose sheaves (46, 50, 62) and around a roller guide (64).

Kato discloses a triple mast structure having a pair of hydraulic hose wheels (27) over which a hydraulic hose (29) is wound.

Schenkelberger discloses an industrial truck having a pulley (20) over which a hose section (16x') is wound.

None of Lee, Kato, or Schenkelberger, either alone or in combination, overcomes the shortcomings of the DE '275 and FR '685 references described above. Therefore, since claims 5-7 and 10-20 depend from, and add further limitations to, claim 1, these claims are believed allowable for substantially the same reasons as claim 1. Additionally, claims 5 and 10-12 include the limitation that the pulley carrier can move up

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and down by means of guide rollers on cylinder tubes of lifting cylinders that are located on opposite sides of the lifting mast. The structure is not believed to be taught or suggested in any of the cited references. Claims 6 and 13-16 include the limitation that the lifting frame is a triplex lifting frame with a lifting cylinder to raise the inner mast located on both sides of the center mast and with the pulley carrier mounted by guide rollers on the cylinder tubes of the lifting cylinders. Again, none of the cited references teaches or suggests these specific limitations. Therefore, for all of the above reasons, claims 5-7 and 10-20 are believed patentable over the cited prior art and in condition for allowance.

Claims 8 and 9

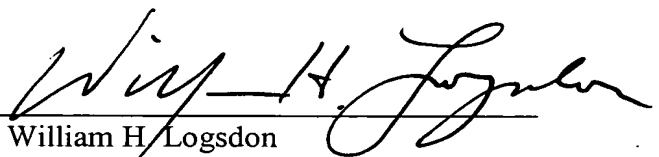
No prior art rejections were made against either claims 8 or 9. Therefore, claims 8 and 9 are believed allowable over the cited art.

Conclusion

In view of the above amendments and remarks, reconsideration of the objection to the drawing, the objection to the specification, the objections and rejections of the pending claims, and allowance of claims 1-20 are respectfully requested.

Respectfully submitted,

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